

Applicant requests as follows:

**Claims:** Cancel all claims of record (thus, Cancel Claims 16 - 23) and substitute, in lieu thereof, claims 24 - 25. See Exhibit A, the Claim Listing, attached hereto.

#### **Remarks**

The Office Action objects to issuing a patent to Applicant, at this point, because the invention has been determined by the PTO as being "obvious" in light of a combination of at least 5 "prior art" documents; with respect to several of the previous claims, the PTO combines 2 patents and 2 patent applications (4 prior art documents) to try to show Applicant's invention is "obvious." Applicant believes that the rewritten claims and the showing of commercial success of the invention, as well as the use of the invention by others, show that Applicant's invention, as viewed as a whole, is un-obvious to one skilled in the art.

Responding to the Office Action of 4/6/05 and the associated code section 35 U.S.C. 103 (a) objection, Applicant points to the leading case in this area, Graham v. John Deere, 383 U.S.1, 148 USPTO 459 (1966). In Graham, the following analytical steps were announced to determine the test for obviousness vs. un-obviousness:

- 1) Determine the scope & content of the prior art. In this matter, there are numerous patents and/or patent applications that the PTO cites. Some, of which, Applicant believes are not prior art.
- 2) Determine the novelty of the invention. In this matter, no one patent or patent application cited by the PTO depicts all the major elements of the current invention as disclosed and claimed.